

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA

vs.

JAMES EDWARD CALLOWAY

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CRIMINAL NO. 5:13-CR-20 (MTT)

NOTICE OF DNA TESTING

Under 18 U.S.C. § 3600, any defendant who is serving a federal sentence can make a motion to the Court to have DNA testing done on any biological evidence in his/her case. In order to make such a motion, the defendant must state under penalty of perjury that he/she is not guilty, and then request that DNA testing be done on any biological evidence.

Biological evidence is blood, hair, semen, saliva, skin tissue or other identified biological material.

If, after conviction, you request such a test, you must state, under penalty of perjury, that you are actually innocent. If DNA testing is performed based on your motion and the result shows that you are in fact guilty, then the government could petition the Court to have you held in contempt of court and ordered to pay the cost of the test or have your “good time” taken away by the prison system, or prosecuted for false assertions. If convicted of false assertions, the sentence is not less than three (3) years imprisonment which must follow the sentence that you are presently serving.

If you believe that there is biological evidence in your case which could be subject to DNA testing, you should discuss with your attorney and determine whether or not you wish to request such testing prior to trial.

This 15th day of March, 2013.

MICHAEL J. MOORE
UNITED STATES ATTORNEY

BY: s/SONJA B. PROFIT
Georgia Bar Number 588542
Attorney for Plaintiff
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CERTIFICATE OF SERVICE

I, SONJA B. PROFIT, Assistant United States Attorney, do hereby certify that on the 15th day of March, 2013, I filed the within and foregoing NOTICE OF DNA TESTING with the Clerk of the Court using the CM/ECF system.

This 15th day of March, 2013.

MICHAEL J. MOORE
UNITED STATES ATTORNEY

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